

BENJAMIN L. CARDIN  
3RD DISTRICT, MARYLAND

COMMITTEE ON WAYS AND MEANS

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SUBCOMMITTEE ON HUMAN RESOURCES

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**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-2003**

January 6, 2006

The Honorable J. Dennis Hastert  
Speaker  
U.S. House of Representatives  
H-232, The Capitol  
Washington, D.C., 20515

Dear Mr. Speaker:

I am writing to request that you create a special House panel to undertake an immediate investigation and hearings into the President's purported authority to conduct eavesdropping of U.S. persons without a court order.

The President disclosed on December 17, 2005 that he repeatedly directed the National Security Agency (NSA) to conduct such warrantless electronic surveillance of U.S. persons. The President's statement followed a December 16, 2005 story in *New York Times* which detailed this government program.

Mr. Speaker, the *New York Times* report and the President's subsequent statement raise serious and fundamental questions regarding the conduct of the war on terrorism, the privacy rights of Americans, the Fourth Amendment's requirements for probable cause and a judicial warrant before a search is conducted, and the separation of powers between the legislative, executive, and judicial branches.

I urge you to immediately work in concert with the Democratic Leader to establish this panel jointly, and to invite a wide range of constitutional scholars and experts to serve on this panel. This panel must closely examine the President's purported authority and the proper role of Congress and the judiciary in authorizing wiretapping of U.S. persons.

I look forward to your timely response and action on this urgent matter.

Sincerely,



Benjamin L. Cardin  
Member of Congress

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